

HOUSE BILL REPORT

SB 5986

As Reported by House Committee On:
Commerce & Labor

Title: An act relating to permitting certain higher education employees to engage in collective bargaining.

Brief Description: Permitting certain higher education employees to engage in collective bargaining.

Sponsors: Senators Kauffman, Kohl-Welles, Hargrove and Shin.

Brief History:

Committee Activity:

Commerce & Labor: 3/17/09, 3/25/09 [DP].

Brief Summary of Bill

- Makes the Public Employees' Collective Bargaining Act applicable to certain University of Washington extension lecturers.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 5 members: Representatives Conway, Chair; Wood, Vice Chair; Green, Moeller and Williams.

Minority Report: Do not pass. Signed by 3 members: Representatives Condotta, Ranking Minority Member; Chandler and Crouse.

Staff: Jill Reinmuth (786-7134)

Background:

Certain employees of institutions of higher education are covered for purposes of collective bargaining under the Public Employees' Collective Bargaining Act (PECBA), the Personnel System Reform Act (PSRA), or laws applicable to faculty members and academic personnel.

The PECBA applies to the following employees of institutions of higher education:

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- certain employees of institutions of higher education who are exempt from civil service;
- certain teaching assistants and research assistants at the University of Washington and Washington State University;
- printing craft employees in the University of Washington's Department of Printing; and
- certain classified employees of technical colleges.

The PSRA applies to employees of institutions of higher education who are covered for purposes of civil service.

Other collective bargaining laws apply to public four-year institutions with respect to faculty members, and to community colleges with respect to academic personnel.

In May 2008 a union filed a petition seeking to represent certain University of Washington extension lecturers. In February 2009 the Public Employment Relations Commission (PERC) affirmed the dismissal of the petition. The PERC found the lecturers are not covered for purposes of collective bargaining under the PECBA, the PSRA, or the law applicable to faculty members at public four-year institutions.

Summary of Bill:

The PECBA is made applicable to certain University of Washington extension lecturers. These lecturers are full-time or part-time lecturers in English language programs that hold annual or quarterly contracts.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Extension lecturers at the University of Washington are not exempt employees, classified employees, or faculty members. They are not covered for purposes of collective bargaining under the Public Employees' Collective Bargaining Act, the Personnel System Reform Act, or the law for faculty. This bill would extend collective bargaining rights to extension lecturers. Last year, 80 percent of extension lecturers submitted bargaining authorization cards to the Public Employment Relations Commission, but found that they were not covered by any enabling legislation.

Extension lecturers are very senior employees. Many have taught for more than 10 years. They add value and bring expertise in advising and training that is not otherwise available. They are committed to the students and to the University of Washington's educational mission. This bill will help extension lecturers and the University of Washington be better able to resolve issues before they become major disputes. It will give extension lecturers a voice.

(Opposed) Extension lecturers want to be treated as faculty under a lawsuit, but as employees under this bill. This bill could result in conflicts between bargaining units. This legislation is premature.

Persons Testifying: (In support) Senator Kauffman, prime sponsor; and Sandra Schroeder and Rozanna Carosella, American Federation of Teachers Washington.

(Opposed) Lou Pisano, University of Washington.

Persons Signed In To Testify But Not Testifying: None.